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THIRD SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT
Examining Group 1636
Patent Application
Docket No. DAS-101XC2
Serial No. 10/609,113

November 7, 2005

J M Sanders

J M Sanders, Patent Attorney

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Art Unit : 1636
Applicant(s) : Scott Bintrim, Scott Bevan, Baolong Zhu, Donald J. Merlo
Serial No. : 10/609,113
Filed : June 27, 2003
Conf. No. : 6438
For : Pesticidally Active Proteins and Polynucleotides Obtainable from
Paenibacillus Species

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97, AND 1.98

Sir:

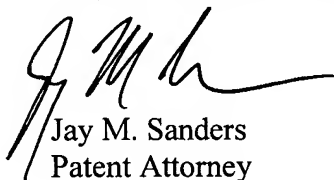
In accordance with 37 C.F.R. § 1.56, the patent on the attached form PTO/SB/08 is being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application. Applicants have not submitted a copy of the U.S. patent cited on attached Form PTO/SB/08 pursuant to 37 CFR 1.98(a)(2)(ii).

The undersigned hereby certifies that the item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

It is respectfully requested that the Examiner indicate consideration of the cited patent by returning a copy of the attached form PTO/SB/08 with initials or other appropriate marks. If any additional fee is required, or to credit any overpayment, please use Deposit Account No. 19-0065.

Applicants respectfully assert that the substantive provisions of 37 C.F.R. §§ 1.56, 1.97, and 1.98 are met by the foregoing statements.

Respectfully submitted,



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Attachment: Form PTO/SB/08



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Complete if Known

Application Number	10/609,113
Filing Date	June 27, 2003
First Named Inventor	Scott B. Bintrim
Art Unit	1636
Examiner Name	
Attorney Docket Number	DAS-101XC2

Sheet

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of

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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	U1	US- 5,712,248	01-27-1998	Kalman <i>et al.</i>	All
	U2	US-			
	U3	US-			
	U4	US-			
	U5	US-			
	U6	US-			
	U7	US-			
	U8	US-			
	U9	US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard T.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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